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CHIEF CLERK'S OFFICE

Penny Shehadeh,

vs.

Central Illinois Public Service Company.

No. 01-0048

Complaint as to refusing service without
payment of \$3,100 because service is being
called temporary in Taylorville, Illinois.

**RESPONDENT'S REPLY TO RESPONSE
TO MOTION TO DISMISS COMPLAINT**

Respondent, Central Illinois Public Service Company, by its attorneys, Sorling, Northrup, Hanna, Cullen and Cochran, Ltd., Stephen R. Kaufmann, of counsel, hereby files its Reply to the Response to Motion to Dismiss Complaint. Respondent CIPS prays that its Motion to Dismiss Complaint be granted, and in further support thereof states as follows:

1. On page 3 of the Response, it is alleged that "CIPS cheats and lies to its customers" and that "CIPS defrauds customers." Those allegations, which are false and which have no place in a filing with the Illinois Commerce Commission, serve to illustrate to the Hearing Examiner the irrational approach of Ms. Shehadeh to this dispute. CIPS should only be forced to respond to this dispute in one forum, which is now the Fifth District Appellate Court. Therefore, CIPS renews its alternative motion to stay proceedings in the Illinois Commerce Commission pending appeal.

2. The Hearing Examiner should likewise be advised that even though the claim of Penny

Shehadeh in Christian County is now pending before the Fifth District Appellate Court, her son, Jamal Shehadeh, filed a new lawsuit in Christian County against CIPS, which is identical to the first claim of Penny Shehadeh and which, incidentally, is identical to the Complaint filed in the Illinois Commerce Commission. Attached hereto as Exhibit "A" is a true and accurate copy of Jamal Shehadeh's Complaint (No. 01-SC-196). Also attached hereto as Exhibit "B" is a true and accurate copy of CIPS' Motion to Dismiss that new small claims Complaint.

3. It is respectfully submitted that Penny Shehadeh has not demonstrated to the Hearing Examiner that this Complaint should be dismissed since another tribunal of Plaintiff's choosing has already heard this exact case and decided it adverse to Plaintiff's interest. People v. Peoria & P.U. Railway Company, 273 Ill. 400, 113 N.E. 68 (1916). Nor has the Plaintiff demonstrated that this administrative agency does not have jurisdiction to adjudicate controverted individual property or contract rights. The authority for the latter proposition is cited in CIPS' Motion filed April 9, 2001.

WHEREFORE, Respondent Central Illinois Public Service Company prays that the instant Complaint be dismissed in its entirety or in the alternative, that further proceedings in the Illinois Commerce Commission be stayed pending appeal of the small claims case filed in Christian County, Illinois.

CENTRAL ILLINOIS PUBLIC
SERVICE COMPANY, Respondent,

By: 

One of Its Attorneys

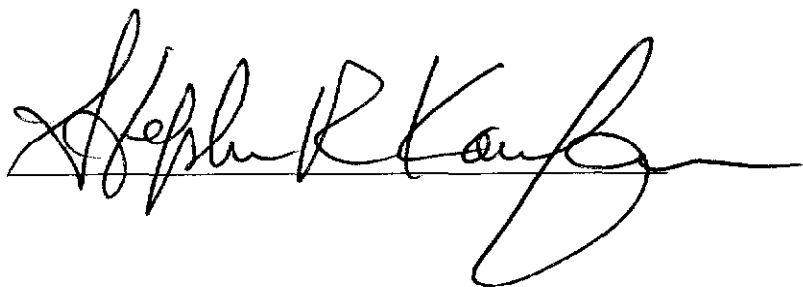
Sorling, Northrup, Hanna, Cullen
and Cochran, Ltd.
Stephen R. Kaufmann, of Counsel
Suite 800 Illinois Building
P. O. Box 5131
Springfield, IL 62705
Telephone: (217) 544-1144

PROOF OF SERVICE

The undersigned hereby certifies that a copy of the foregoing document was served by placing same in a sealed envelope addressed:

Penny Shehadeh
1312 Sportsman Dr.
Taylorville, IL 62568

and by depositing same in the United States mail in Springfield, Illinois, on the 11th day of May, 2001, with postage fully prepaid.

A handwritten signature in black ink, appearing to read "Stephen R. Kaufmann", written over a horizontal line.

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5/10/2001SRKsdn